REMARKS

In the Office Action, Claims 57-59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tatchell et al. (5,905,774) in view of Blumhardt (5,533,106) and Bartholomew (5,497,414), Claims 60-66, 68-73, and 75-93 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tatchell et al. (5,905,774) in view of Blumhardt (5,533,106), and Claim 74 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tatchell et al. (5,905,774) in view of Blumhardt (5,533,106) and Jones et al. (5,033,076).

1. The Pending Claims Were Previously Allowed Over These References

Applicants note that, in the previous office action, all of the pending claims were allowed over these very same references and were only rejected on the basis of obviousness-type double patenting. Indeed, the references that are now being used to reject the pending claims were originally cited to the Examiner more than 4 years ago. Specifically, Applicants cited Blumhardt (5,533,106), Bartholomew (5,497,414), and Jones et al. (5,033,076) in an information disclosure statement and a PTO 1449 form that were submitted to the Patent Office on September 30, 1998. The PTO 1449 form listing these references was signed by the Examiner on July 30, 1999. Given that these references were cited almost 5 years ago, yet are only now being cited by the Examiner, and all of the pending claims were previously allowed by the Examiner, Applicants respectfully submit that the current rejections of all pending claims are improper. (See MPEP § 706.04.)

Blumhardt never been found.

2. The Examiner's Proposed Modifications of Tatchell et al. are Improper

Turning to the specifics of the current rejections, to support the rejections of all of the pending claims, the Examiner proposes a modification of Tatchell et al. that requires that the system disclosed by Tatchell et al. be modified so that both a query in general and data contained within a query are used to determine whether caller identification information for a calling communication station can be provided to the called communications station, as recited in the pending claims. Applicants submit that the proposed modifications of Tatchell et al. are improper because it changes the principle of operation of Tatchell et al. and because Tatchell et al. teaches away from such modifications.

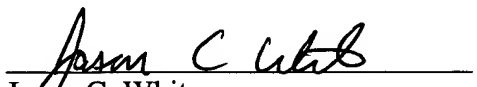
As Applicants noted in a previous response, while Tatchell et al. may generally disclose a query, Tatchell et al. does not disclose: (1) generating a query that includes the telephone number associated with the calling communication station; or (2) determining whether standard caller identification information for the calling communication station can be provided to the called communication station by analyzing data contained within the query. To the contrary, Tatchell et al. discloses checking to see if a call has CLID ***without using a query***. (Col. 20, lines 50-51.) Specifically, Tatchell et al. states that when an incoming call is directed to a number for which the subscriber has requested call screening, the agent is invoked. (Col. 20, lines 41-44.) Tatchell et al. further explains that the agent determines if the call has a CLID, and if the call does not have a CLID of the CLID is blocked, the agent ***answers the call***. (Col. 20 lines 48-52.) This teaches that the call is routed to the agent so that the agent can determine if the call has a CLID and so that the agent can answer the call if the call does not have a CLID. If the call is routed to

the agent, a query to the agent is not necessary. Indeed, nowhere in this portion of Tatchell et al. is the use of a query disclosed or even suggested.

Despite this express disclosure in Tatchell et al., the Examiner proposes to modify the teaching of Tatchell et al. such that a query is used to enable the agent to determine whether caller identification information for a calling communications station can be provided to the called communications station, rather than routing the call to the agent. This is contrary to the express teaching in Tatchell et al. that the call be routed to the agent. Accordingly, the Examiner's proposed modifications of Tatchell et al. are improper because they change the principle of operation of Tatchell et al. (MPEP § 2143.01) Moreover, Tatchell et al. teaches away from the Examiner's proposed modifications in that it acknowledges queries but teaches that a call should be routed to an agent to allow for a determination about providing CLID, rather than using a query to do so. Thus, the Examiner's proposed modifications of Tatchell et al. are improper for this reason as well. Because the Examiner's proposed modifications of Tatchell et al. are improper for at least these reasons, Applicants request that the Examiner's rejections of all pending claims be withdrawn.

In view of the above remarks, Applicants submit that this case is in condition for allowance. If the Examiner feels that a telephone interview would be helpful in resolving any remaining issues, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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